

V. REMARKS

It is respectfully submitted that the Examiner misunderstands the election made by the Applicants on April 10, 2003 in response to the Examiner's Election Species Requirement.

Originally recited in claim 1 was "an adhesive composition layer fabricated from an adhesive composition containing a plurality of bubbles". The word "bubbles" refers to "voids formed in a foam layer" as shown in Figure 1. In paragraph [0019] on page 3 of the specification, "any adhesive composition 10 containing bubbles 9" is recited. Thus, it can be taken that the "adhesive composition 10" refers to a "foam layer" and that the "bubbles 9" refer to a "voids formed in the foam layer".

Accordingly, the above "adhesive composition layer" in claim 1 is in the form in which a plurality of bubbles (or voids) is present in an adhesive composition so that the layer in reference can be defined also as "an adhesive composition layer fabricated from an adhesive composition having a plurality of voids therein".

As demonstrated above, in the present invention, it is not that "an adhesive is impregnated in the voids of the foam layer" but, instead, it is that a layer is formed of "a composition containing an adhesive and is foamed". Also, the adhesive composition has a fluidity as discussed in the specification on page 5, paragraph [0026] and therefore, the voids cannot include voids in a non-woven material.

Attached is a photocopy of page 130 on the English-English dictionary issued by one of the Japanese leading publishers named KENKYUSHA Ltd., in which "bubble" is defined as a round space filled with air". It is respectfully submitted that for the present invention, "bubble" means "a round space filled with air". Perhaps, a mistranslation of the original Japanese-language claims into English has resulted in this unfortunate circumstance for prosecution of the application on the merits.

Applicants respectfully request that the Examiner advance prosecution on the merits based upon the claims as herein amended which are believed to be amended in a manner to advance prosecution of the application. Further, Applicants respectfully submit that the amendment filed on September 17, 2003, was a bona fide attempt to

timely and properly reply to the Office Action dated June 20, 2003, and that this amendment is also a bona fide attempt to timely and properly reply to the outstanding Office Action dated December 3, 2003.

Applicants believe that all outstanding issues related to the election of species requirement have been satisfactory addressed and settled. Applicants are hopeful that the Examiner agrees.

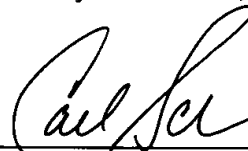
In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

Date: December 23, 2003

By: _____


David T. Nikaido
Reg. No. 22,663

Carl Schaukowitch
Reg. No. 29,211

RADER, FISHMAN & GRAUER PLLC
1233 20th Street, N.W. Suite 501
Washington, D.C. 20036
Tel: (202) 955-3750
Fax: (202) 955-3751
Customer No. 23353

Enclosure(s): page 130 on the English-English dictionary issued by Japanese publishers, KENKYUSHA Ltd.

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